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CLOSED,PASPR

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)  
CRIMINAL DOCKET FOR CASE #: 2:23-mj-01844-DUTY All Defendants**

Case title: USA v. Xu

Date Filed: 04/18/2023

Other court case number: 23CRM133 Southern District of New  
York

Date Terminated: 04/19/2023

Assigned to: Duty Magistrate Judge

**Defendant (1)****Skye Xu***TERMINATED: 04/19/2023*represented by **Michael Zweiback**

Zweiback, Fiset and Zalduendo LLP

315 West 9th Street, Suite 1200

Los Angeles, CA 90015

213-266-5171

Fax: 213-289-4025

Email: michael.zweiback@zfzlaw.com

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Retained***Pending Counts**

None

**Disposition****Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff****USA**represented by **US Attorney's Office**

AUSA - Office of US Attorney

Criminal Division - US Courthouse

312 North Spring Street 12th Floor

Los Angeles, CA 90012-4700

213-894-2434

Email: USACAC.Criminal@usdoj.gov

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/18/2023	<u>1</u>	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Skye Xu, originating in the Southern District of New York. Defendant charged in violation of: 18:1349, 1343, 1346. Signed by agent Anthony Alecci, FBI, Special Agent. filed by Plaintiff USA. (cio) (Entered: 04/19/2023)
04/18/2023	<u>2</u>	REPORT COMMENCING CRIMINAL ACTION as to Defendant Skye Xu; defendants Year of Birth: 1965; date of arrest: 4/18/2023 (cio) (Entered: 04/19/2023)
04/18/2023	<u>3</u>	Defendant Skye Xu arrested on warrant issued by the USDC Southern District of New York at New York. (Attachments: # <u>1</u> Out-of-District Indictment)(cio) (Entered: 04/19/2023)
04/18/2023	<u>4</u>	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Michael R. Wilner as to Defendant Skye Xu. Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations;see General Order 21-02 (written order). Defendant arraigned and states true name is as charged. Attorney: Michael Zweiback for Skye Xu, Retained, present. Court orders bail set as: Skye Xu (1) \$250,000 Appearance Bond, (SEE BOND ATTACHED). Court orders defendant held to answer to Southern District of New York. Bond to Transfer. Defendant ordered to report on 5/4/2023 SDNY before Judge Ferman. Release order no: digital release. Gov informs court case unsealed. Court Smart: CS 04/18/2023. (cio) (Entered: 04/19/2023)
04/18/2023	<u>5</u>	ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Defendant Skye Xu. (cio) (Entered: 04/19/2023)
04/18/2023	<u>6</u>	DESIGNATION AND APPEARANCE OF COUNSEL; filed by Michael Zweiback appearing for Skye Xu (cio) (Entered: 04/19/2023)
04/18/2023	<u>7</u>	DECLARATION RE: PASSPORT filed by Defendant Skye Xu, declaring that my passport and any other travel documents are in the possession of federal authorities. If any such document is returned to me during the pendency of this case, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case. (cio) (Entered: 04/19/2023)
04/18/2023	<u>8</u>	DECLARATION RE: PASSPORT filed by Defendant Skye Xu, declaring that I have been issued a passport or other travel document(s), but they are not currently in my possession. I will surrender any passport or other travel document(s) issued to me, to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a

		passport or other travel document during the pendency of this case. (cio) (Entered: 04/19/2023)
04/18/2023	<u>9</u>	REDACTED AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$250,000 by surety: Skye Xu for Filed by Defendant Skye Xu (cio) (Entered: 04/19/2023)
04/18/2023	<u>10</u>	SEALED UNREDACTED AFFIDAVIT OF SURETY (NO JUSTIFICATION) filed by Defendant Skye Xu re: Affidavit of Surety (No Justification)(CR-4) <u>9</u> (cio) (Entered: 04/19/2023)
04/18/2023	<u>11</u>	WAIVER OF RIGHTS approved by Magistrate Judge Michael R. Wilner as to Defendant Skye Xu. (cio) (Entered: 04/19/2023)
04/18/2023	<u>12</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Skye Xu. USA passport was received on 04/18/2023. (cio) (Entered: 04/19/2023)
04/19/2023		Notice to Southern District of New York of a Rule 5 or Rule 32 Initial Appearance as to Defendant Skye Xu. Your case number is: 23CRM133. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: <u>4</u> Initial Appearance - Arrest on Out of District Warrant - Rule 5(c)(3) (fka Rule 40),,. The Clerk will forward the passport to you If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (cio) (Entered: 04/19/2023)

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Skye Xu

Defendant.

Western Division

UNDER SEALCase Number: 2:23-MJ-01844Initial App. Date: 04/18/2023Initial App. Time: 2:00 PMOut of District AffidavitCustodyDate Filed: 04/18/2023Violation: 18:1349CourtSmart/ Reporter: CS 04/18/23PROCEEDINGS HELD BEFORE UNITED STATES  
MAGISTRATE JUDGE: Michael R. WilnerCALENDAR/PROCEEDINGS SHEET  
LOCAL/OUT-OF-DISTRICT CASE

PRESENT:

Munoz II, James R.

None

Deputy Clerk

Sanya Nevarez  
Assistant U.S. Attorney

Interpreter/Language

☐ INITIAL APPEARANCE NOT HELD - CONTINUED☒ Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; see General Order 21-02 (written order).☒ Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and  
☐ preliminary hearing OR ☒ removal hearing / Rule 20.☒ Defendant states true name ☒ is as charged ☐ is \_\_\_\_\_☐ Court ORDERS the caption of the Indictment/Information be changed to reflect defendant's different true name. Counsel are directed to file all future documents reflecting the true name as stated on the record.☐ Defendant advised of consequences of false statement in financial affidavit. ☐ Financial Affidavit ordered **SEALED**.☒ Attorney: Michael Zweiback, Retained ☒ Appointed ☐ Prev. Appointed ☐ Poss. Contribution (see separate order)☐ Special appearance by: \_\_\_\_\_☐ Government's request for detention is: ☐ GRANTED ☐ DENIED ☐ WITHDRAWN ☐ CONTINUED☐ Contested detention hearing is held. ☐ Defendant is ordered: ☐ Permanently Detained ☐ Temporarily Detained (see separate order).☒ BAIL FIXED AT \$ 250,000 (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)☐ Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: ☐ GRANTED ☐ DENIED☐ Preliminary Hearing waived. ☐ Class B Misdemeanor ☐ Defendant is advised of maximum penalties☐ This case is assigned to Magistrate Judge \_\_\_\_\_, Counsel are directed to contact the clerk for the setting of all further proceedings.☐ PO/PSA WARRANT ☐ Counsel are directed to contact the clerk for

District Judge \_\_\_\_\_ for the setting of further proceedings.

☐ Preliminary Hearing set for \_\_\_\_\_ at 4:30 PM☐ PIA set for: \_\_\_\_\_ at 11:00 AM in LA; at 10:00 AM in Riverside; at 10:00 AM in Santa Ana☐ Government's motion to dismiss case/defendant \_\_\_\_\_ only: ☐ GRANTED ☐ DENIED☐ Defendant's motion to dismiss for lack of probable cause: ☐ GRANTED ☐ DENIED☒ Defendant executed Waiver of Rights. ☐ Process received.☒ Court ORDERS defendant Held to Answer to \_\_\_\_\_ District of \_\_\_\_\_  
☒ Bond to transfer, if bail is posted. Defendant to report on or before 5/4/23 SDNY before Judge Ferman☐ Warrant of removal and final commitment to issue. Date issued: \_\_\_\_\_ By CRD: \_\_\_\_\_☐ Warrant of removal and final commitment are ordered stayed until \_\_\_\_\_☐ Case continued to (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ AM / PM  
Type of Hearing: \_\_\_\_\_ Before Judge \_\_\_\_\_ /Duty Magistrate Judge.Proceedings will be held in the ☐ Duty Courtroom ☐ Judge's Courtroom☐ Defendant committed to the custody of the U.S. Marshal ☐ Summons: Defendant ordered to report to USM for processing.☐ Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.☐ Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.☒ RELEASE ORDER NO: digital release☒ Other: Giov informs court case unsealed☒ PSA ☐ USPO ☐ FINANCIAL☒ CR-10 ☐ CR-29☒ READY

Deputy Clerk Initials

## UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Case Name: United States of America v. SKye XuCase No. 23-1844M☒ Defendant ☐ Material WitnessViolation of Title and Section: 18 USC 1349☐ Summons ☐ Out of District ☐ UNDER SEAL ☐ Modified Date: \_\_\_\_\_

Check only one of the five numbered boxes below and any appropriate lettered box (unless one bond is to be replaced by another):

<p>1. <input type="checkbox"/> Personal Recognizance (Signature Only)</p> <p>2. <input checked="" type="checkbox"/> Unsecured Appearance Bond \$ <u>250,000 -</u></p> <p>3. <input checked="" type="checkbox"/> Appearance Bond \$ <u>250,000</u></p> <p>(a.) <input type="checkbox"/> Cash Deposit (Amount or %) (Form CR-7)</p> <p>(b.) <input checked="" type="checkbox"/> Affidavit of Surety Without Justification (Form CR-4) Signed by: <u>Katie Zuo - \$250,000</u> <u>Ivy Wang - \$250,000</u> <u>to switch out</u> <u>defendant's bond in</u> <u>7 days 4/25/2023 in</u> <u>SD New York</u></p>	<p>(c.) <input type="checkbox"/> Affidavit of Surety With Justification (Form CR-3) Signed by: _____ _____ _____ <input type="checkbox"/> With Full Deeding of Property: _____</p> <p>4. <input type="checkbox"/> Collateral Bond in the Amount of (Cash or Negotiable Securities): \$ _____</p> <p>5. <input type="checkbox"/> Corporate Surety Bond in the Amount of: \$ _____</p>	<p>Release Date: <u>4/18/23</u></p> <p><input checked="" type="checkbox"/> Released by: <u>MAW / JM</u> (Judge / Clerk's Initials)</p> <p><input type="checkbox"/> Release to U.S. Probation and Pretrial Services ONLY</p> <p><input checked="" type="checkbox"/> Forthwith Release</p> <p><input type="checkbox"/> All Conditions of Bond (Except Clearing-Warrants Condition) Must be Met and Posted by:</p> <p><input type="checkbox"/> Third-Party Custody Affidavit (Form CR-31)</p> <p><input checked="" type="checkbox"/> Bail Fixed by Court: <u>MAW / JM</u> (Judge / Clerk's Initials)</p>
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## PRECONDITIONS TO RELEASE

- ☐ The government has requested a Nebbia hearing under 18 U.S.C. § 3142(g)(4).
- ☐ The Court has ordered a Nebbia hearing under § 3142 (g)(4).
- ☐ The Nebbia hearing is set for \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.

## ADDITIONAL CONDITIONS OF RELEASE

In addition to the GENERAL CONDITIONS of RELEASE, the following conditions of release are imposed upon you:

- ☒ Submit to United States Probation and Pretrial Services supervision as directed by Supervising Agency.
- ☒ Surrender all passports and travel documents to Supervising Agency no later than \_\_\_\_\_, sign a Declaration re Passport and Other Travel Documents (Form CR-37), and do not apply for a passport or other travel document during the pendency of this case.
- ☒ Travel is restricted to CDCA, SD & ED of New York unless prior permission is granted by Supervising Agency to travel to a specific other location. Court permission is required for international travel as well as for any domestic travel if the defendant is in a Location Monitoring Program or as otherwise provided for below.
- ☒ Reside as approved by Supervising Agency and do not relocate without prior permission from Supervising Agency.

Defendant's Initials: XSX Date: 4/18/2023

Case Name: United States of America v. Skye XuCase No. 23-1844M☒ Defendant ☐ Material Witness

- ☒ Maintain or actively seek employment unless excused by Supervising Agency for schooling, training, or other reasons approved by Supervising Agency. Verification to be provided to Supervising Agency. ☒ Employment to be approved by Supervising Agency.
- ☒ Avoid all contact, directly or indirectly (including by any electronic means), with any known victim or witness in the subject investigation or prosecution, ☐ including but not limited to \_\_\_\_\_; ☐ except for \_\_\_\_\_.
- ☒ Avoid all contact, directly or indirectly (including by any electronic means), with any known codefendants except in the presence of counsel. Notwithstanding this provision, you may have contact with the following codefendants without your counsel present: \_\_\_\_\_.
- ☐ Do not possess any firearms, ammunition, destructive devices, or other dangerous weapons. ☐ Surrender any such item as directed by Supervising Agency by \_\_\_\_\_ and provide proof to Supervising Agency. ☐ In order to determine compliance, you agree to submit to a search of your person and property by Supervising Agency, which may be in conjunction with law enforcement.
- ☐ Do not use or possess any identification, mail matter, access device (including, but not limited to, credit and debit cards), or any identification-related material other than in your own legal or true name without prior permission from Supervising Agency.
- ☐ In order to determine compliance, you agree submit to a search of your person and property by Supervising Agency, which may be in conjunction with law enforcement.
- ☐ Do not engage in telemarketing.
- ☒ Do not sell, transfer, or give away any asset valued at \$ 500,000 or more without notifying and obtaining permission from the Court, except to pay for counsel.
- ☐ Do not engage in tax preparation for others.
- ☐ Do not use alcohol. ☐ Submit to alcohol testing. If directed to do so, participate in outpatient treatment as approved by Supervising Agency. Testing may include any form of prohibited-substance screening or testing. You must pay all or part of the costs for testing based upon your ability to pay as determined by Supervising Agency.
- ☐ Do not use or possess illegal drugs or state-authorized marijuana. ☐ Submit to drug testing. Testing may include any form of prohibited-substance screening or testing. You must pay all or part of the costs for testing based upon your ability to pay as determined by Supervising Agency. If directed to do so, participate in outpatient treatment as approved by Supervising Agency.
- ☐ In order to determine compliance, you agree to submit to a search of your person and property by Supervising Agency, which may be in conjunction with law enforcement.
- ☐ Do not use for purposes of intoxication any controlled substance analogue as defined by federal law or any street, synthetic, or designer psychoactive substance capable of impairing mental or physical functioning more than minimally, except as prescribed by a medical doctor.
- ☐ Participate in residential substance abuse treatment as directed by Supervising Agency. You must pay all or part of the costs of treatment based upon your ability to pay as determined by Supervising Agency. ☐ Release to Supervising Agency only.
- ☐ Participate in mental health treatment, which may include evaluation, counseling, or treatment as directed by Supervising Agency. You must pay all or part of the costs based upon your ability to pay as determined by Supervising Agency.

Defendant's Initials: XSX Date: X 04/18/23

Case Name: United States of America v. Skyc XuCase No. 23-18747☒ Defendant ☐ Material Witness

- ☐ Participate in the Location Monitoring Program marked below and abide by all of the requirements of the program and any indicated restrictions, under the direction of the Supervising Agency. You must pay all or part of the costs of the program based upon your ability to pay as determined by the Supervising Agency. You are financially responsible for any lost or damaged equipment.

**1. Location Monitoring Restrictions (Select One)**☐ Location Monitoring only - no residential restrictions☐ Curfew: Curfew requires you to remain at home during set time periods. (Select One)☐ As directed by Supervising Agency; or☐ You are restricted to your residence every day from \_\_\_\_\_ to \_\_\_\_\_

☐ Home Detention: Home detention requires you to remain at home at all times except for employment, education, religious services, medical needs or treatment, attorney visits, court appearances and obligations, essential needs, and \_\_\_\_\_, all of which must be preapproved by the Supervising Agency.

☐ Home Incarceration: Home Incarceration requires you to be at home 24 hours a day except for medical needs or treatment, attorney visits, court appearances or obligations, and \_\_\_\_\_, all of which must be preapproved by Supervising Agency.

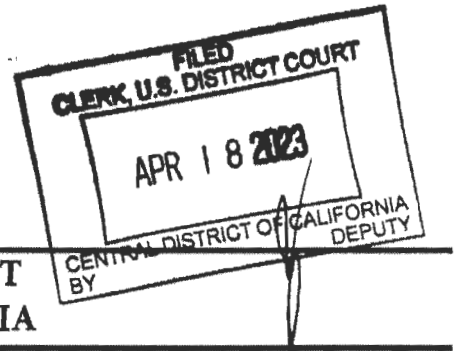
**2. Location Monitoring Technology (Select One)**☐ Location Monitoring technology at the discretion of the Supervising Agency. (If checked, skip to 3)☐ Location Monitoring with an ankle monitor (Select one below)☐ at the discretion of the Supervising Agency or☐ Radio Frequency (RF) or☐ Global Positioning System (GPS)

or

☐ Location Monitoring without an ankle monitor (Select one below)☐ at the discretion of the Supervising Agency or☐ Virtual/Biometric (smartphone required to participate) or☐ Voice Recognition (landline required to participate)**3. Location Monitoring Release Instructions (Select One)**☐ Release to Supervising Agency only or ☐ Enroll in the location monitoring program within 24 hours of release.☐ You are placed in the third-party custody (Form CR-31) of \_\_\_\_\_.

☐ Clear outstanding ☐ warrants or ☐ DMV and traffic violations and provide proof to Supervising Agency within \_\_\_\_\_ days of release from custody.

Defendant's Initials: XSXDate: 4/18/23



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

United States of America,

Plaintiff,

v.

SKYEX

Defendant.

CASE NUMBER:

23-MJ-01844

**ADVISEMENT OF  
DEFENDANT'S STATUTORY &  
CONSTITUTIONAL RIGHTS**

You are in the United States District Court for the Central District of California because you have been charged with a crime against the United States or a violation of probation, supervised release, or pretrial release. The Court informs you that you have the following constitutional and statutory rights in connection with these proceedings:

You have the right to remain silent. Anything you say, sign, or write can be used against you in this or in any other case.

If you have not already received a copy of the charges, you will receive a copy today.

You have the right to hire and be represented by a lawyer of your choosing at each and every stage of these proceedings. If you cannot afford to hire a lawyer, you can apply to the Court to have a lawyer appointed to represent you for free from the office of the Federal Public Defender or the Indigent Defense Panel. The application for free counsel includes a financial affidavit, which you must sign under penalty of perjury. If you say something on the form that is not true or leave out material information, you could be charged with another crime, such as perjury or making a false statement.

If you are not a United States citizen, you may request that the prosecution notify your consular office that you have been arrested. Even without such a request, the law may require the prosecution to do so.

**IF YOU ARE MAKING YOUR INITIAL APPEARANCE BEFORE THE COURT**

You have a right to a bail hearing in which the Magistrate Judge will determine whether you will be released from custody before trial. If you disagree with the Magistrate Judge's decision, you can appeal that decision to another Judge of this Court. You or the prosecutor can request that the bail hearing be continued to another day.

If you have been charged by complaint, you are entitled to a preliminary hearing within 14 days if the Magistrate Judge orders that you be detained pending trial, or 21 days if the Magistrate Judge orders that you be released pending trial. In a preliminary hearing, the prosecution will attempt to show that there is probable cause to believe that you committed the crime charged in the complaint. You will not be entitled to a preliminary hearing, however, if the prosecution obtains an indictment in your case before the time set for the preliminary hearing. (Most often, the prosecutors in the Central District of California present their cases to the grand jury before the time set for the preliminary hearing and, therefore, no preliminary hearing is held.)

**IF YOU ARE CHARGED WITH A VIOLATION OF  
YOUR CONDITIONS OF SUPERVISED RELEASE OR PROBATION**

If you are charged with a violation of the terms and conditions of your supervised release or probation and the Magistrate Judge detains you, you have the right to a preliminary hearing before a Magistrate Judge.



**IF YOU ARE CHARGED IN ANOTHER DISTRICT**

If you have been arrested on a charge from another district, you are entitled to wait until the prosecution produces a copy of the warrant authorizing your arrest. You are also entitled to an identity hearing in which the prosecution would have the burden of proving there is probable cause to believe that you are the person named in the charges. If you are charged in a complaint from another district, you may request to have a preliminary hearing held in the charging district. If you are charged with a violation of a term of supervised release or probation imposed in another district, you have a right to a preliminary hearing, which may, depending on where the alleged violation occurred, be held either here or in the charging district.

If you want to plead guilty in the Central District of California, you may request to have your case transferred to this district. To proceed in this district, the United States Attorneys for this district and the charging district must agree to the transfer.

**IF YOU ARE APPEARING FOR ARRAIGNMENT**

If you have been charged by indictment or information, you will be arraigned and may be asked to enter a not guilty plea today. After your arraignment, your case will be assigned to a District Judge of this Court for all further proceedings, unless a Judge has already been assigned.

You are entitled to a speedy and public trial by jury. The right to a jury trial can be waived.

You are entitled to see and hear the evidence and cross-examine the witnesses against you. You are entitled to the processes of the Court to subpoena witnesses on your behalf without cost to you if you are indigent. You do not have to prove your innocence. The prosecution has the burden to prove your guilt beyond a reasonable doubt.

**ACKNOWLEDGMENT OF DEFENDANT:**

I have read the above Advisement of Rights and understand it. I do not require a translation of this statement nor do I require an interpreter for court proceedings.

Dated: 04/18/2023

  
Signature of Defendant

[or]

I have personally heard a translation in the \_\_\_\_\_ language read to me and understand the above Advisement of Rights.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant

**STATEMENT OF THE INTERPRETER:**

I have translated this Advisement of Rights to the Defendant in the \_\_\_\_\_ language.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Interpreter

\_\_\_\_\_  
Print Name of Interpreter

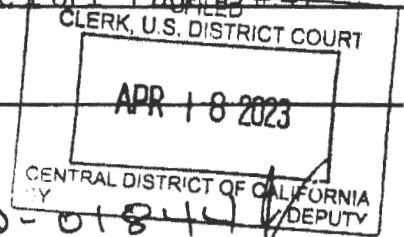
**STATEMENT OF COUNSEL:**

I am satisfied that the defendant has read this Advisement of Rights or has heard the interpretation thereof and that he/she understands it.

Dated: 04-18-23

  
Signature of Attorney

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**



UNITED STATES OF AMERICA,

PLAINTIFF

CASE NUMBER:

23-MJ-01844

v.

SKYLO

DEFENDANT.

**WAIVER OF RIGHTS  
(OUT OF DISTRICT CASES)**

I understand that charges are pending in the Southern District of New York alleging violation of 18 USC 1349 and that I have been arrested in this district and

*(Title and Section / Probation / Supervised Release)*

taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

**-Check one only-**

☐ **EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

☐ **PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

**I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:**

- ☒ have an identity hearing  
☒ arrival of process  
☐ have a preliminary hearing  
☒ have an identity hearing, and I have been informed that I have no right to a preliminary hearing  
☐ have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

Defendant

Defense Counsel

United States Magistrate Judge

Date: 4-18-23

I have translated this Waiver to the defendant in the \_\_\_\_\_ language.

Date: \_\_\_\_\_

Interpreter(if required)